



PLANNING & ZONING COMMISSION

AGENDA REQUEST

AGENDA OF:	12/12/06	AGENDA REQUEST NO:	VI E
INITIATED BY:	KEVIN HAYES, SENIOR PLANNER <i>K.H.</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	KEVIN HAYES, SENIOR PLANNER	ASSISTANT PLANNING DIRECTOR:	DOUGLAS P. SCHOMBURG, AICP <i>Douglas P. Schomburg</i>
		ADDITIONAL DEPARTMENT HEAD (S):	N/A
SUBJECT / PROCEEDING:	CONDITIONAL USE PERMIT FOR A PRIVATE SCHOOL AT ST. THERESA CATHOLIC CHURCH CAMPUS AT 115 SEVENTH STREET IN THE STANDARD SINGLE FAMILY RESIDENTIAL (R-1) DISTRICT PUBLIC HEARING; DISCUSSION AND DIRECTION		
EXHIBITS:	STAFF REPORT, VICINITY MAP, AERIAL GRAPHIC, CONCEPTUAL SITE PLAN, TRAFFIC CIRCULATION/CAR POOL QUEUE, AGREEMENT BETWEEN KNIGHTS OF COLUMBUS AND ST. THERESA CATHOLIC CHURCH, SITE PHOTOS, APPLICATION, PUBLIC HEARING NOTICE		
CLEARANCES		APPROVAL	
LEGAL:	N/A	DIRECTOR OF PLANNING:	SABINE SOMERS-KUENZEL, AICP <i>AK</i>
RECOMMENDED ACTION			
Discussion and direction from the Commission following the Public Hearing.			
EXECUTIVE SUMMARY			
<p>St. Theresa Catholic Church has requested a conditional use permit (CUP) for the creation of a Private School at the campus church facilities located at 115 Seventh Street, in the Standard Single-Family Residential (R-1) district. The site is surrounded by both R-1 and HR-1 zoning and largely residential land uses, including the City Park facility partially surrounding the site to the east. The Sugar Mill residential subdivision is located to the north and to the east. To the south, across Seventh Street, is the Hill subdivision.</p> <p>If approved, the construction will be phased in the following three parts:</p> <ol style="list-style-type: none">1) Phase 1(a), completion date of August 2007, includes the following facilities: 15 classrooms; School offices; Church offices; Library and computer room; parking and drive configuration; and entry courtyard.2) Phase 1(b), completion date of August 2008 will include adding additional parking and demolishing two existing buildings.			

- 3) Phase 2, completion date of August 2011, will include an additional 10 classrooms; playground; and demolish the two existing buildings.

Additional details are contained within the attached report. The Planning Department has received one inquiry regarding this request, which was informational in nature. A Public Hearing is scheduled for tonight's meeting, followed by discussion and direction from the Commission.

John Clements, Jackson Ryan Architects jclements@jacksonryan.com

File No. 7016

EXHIBITS

STAFF REPORT

DETAILED INFORMATION

GENERAL SITE INFORMATION AND ANALYSIS:

The following is a summary of general site information.

Adjacent Zoning	Northwest: Standard Single-Family Residential (R-1) Northeast: Standard Single-Family Residential (R-1) East: Standard Single-Family Residential (R-1) South: The Hill Residential (HR-1) Site: Standard Single-Family Residential (R-1)
Adjacent Land Use	North: Sugar Mill residential subdivision West: Vacant land at Harmon and Burney Road East: City Park South: The Hill residential subdivision Site: Church
Comprehensive Plan	Site: Future Land Use Plan indicates public uses for this property. The request is in compliance with the Comp. Plan.

DEVELOPMENT CODE PROVISIONS FOR CONDITIONAL USE PERMITS:

Sec. 2-22. Standard of Review.

In reviewing the application, the Commission and Council will consider the impact the proposed use would have on surrounding premises and the community, including traffic, noise, and property values; any conditions or restrictions that could mitigate any adverse impact; and other matters that are relevant to a determination of whether the use would be a compatible and appropriate use of the premises.

Sec. 2-23. Conditions.

The Commission may recommend, and the Council may impose, reasonable conditions and restrictions in the granting of a permit to mitigate any adverse impacts of the proposed use. The conditions must be specified in the ordinance approving the permit.

ANALYSIS:

Case Overview:

This case involves the creation of a private school in the R-1 district on the St. Theresa Catholic Church campus. Although the church is existing, there is currently no private school at the site. Private schools (SIC No. 8211), require a CUP in the R-1 district. Parking for the private school is based on a ratio of 1 space for every 20 students (K-8). The preliminary site plan appears to comply with all Code provisions, including parking and setback requirements. Staff has requested additional information from the applicant including:

- Square footage of existing church facilities for reference
- Square footage of proposed facilities for CUP Plan

In addition to the City's Public Hearing requirements, the applicant has arranged meetings with the surrounding residential neighborhood to discuss their plans for expansion and address any concerns. According to the applicant, area neighbors have not expressed concern regarding the expansion itself.

Parking and Traffic Circulation:

When initially examining the viability of this project, the applicant conducted a Traffic Impact Analysis (TIA) which was submitted to the City for review and comments. Since that time, the project size and scope has been reduced, with particular emphasis on limiting the impact to existing public streets and City Park facilities. The applicant has included parking and circulation information on the exhibit titled "Car Pool Queue". The applicant is proposing to use the Knights of Columbus parking lot to satisfy part of the parking requirements and queuing for the private school. An agreement was submitted which states that the Knights of Columbus Club agrees that the church may use the parking lot for parking purposes during church functions. Furthermore, the agreement also states that the Columbus Club property may be used for Car Pool Queue during the AM and PM pick-up/drop off of children at the educational center. The Columbus Club facility requires at least 30 parking spaces based on the square footage. Parking for church is based on the number of seats in the sanctuary and one parking space is required for every four seats. The current number of seats is 854 which requires 214 spaces, with an additional 27 needed for the 528 students. The City Park facility has spaces surrounding the north and northeast. However, staff conveyed to the applicant that those spaces could not be used in the parking or stacking for the addition of a private school. The Parks and Recreation Department confirmed that those spaces are needed for the City facilities. Parking required at the site, including the Columbus Club is 271 spaces, and the applicant is proposing to have 307 spaces. Twenty-three new spaces are proposed adjacent to the Columbus Club. The site appears to meet Chapter Two Article V of the Development Code standards for parking.

Comprehensive Plan Application:

The future land use plan indicates public use for this area, including all of the church property. A field investigation by staff revealed that there are primarily residential neighborhoods along Seventh Street, with public uses such as schools, parks, and churches at major intersections. Further, the use complies with the Future Land Use Plan (located in the Comp. Plan), which specifies public uses for this property. This land use classification includes churches and related uses. The key question for the Commission is to ensure that there are not any adverse impacts from the proposed new use.

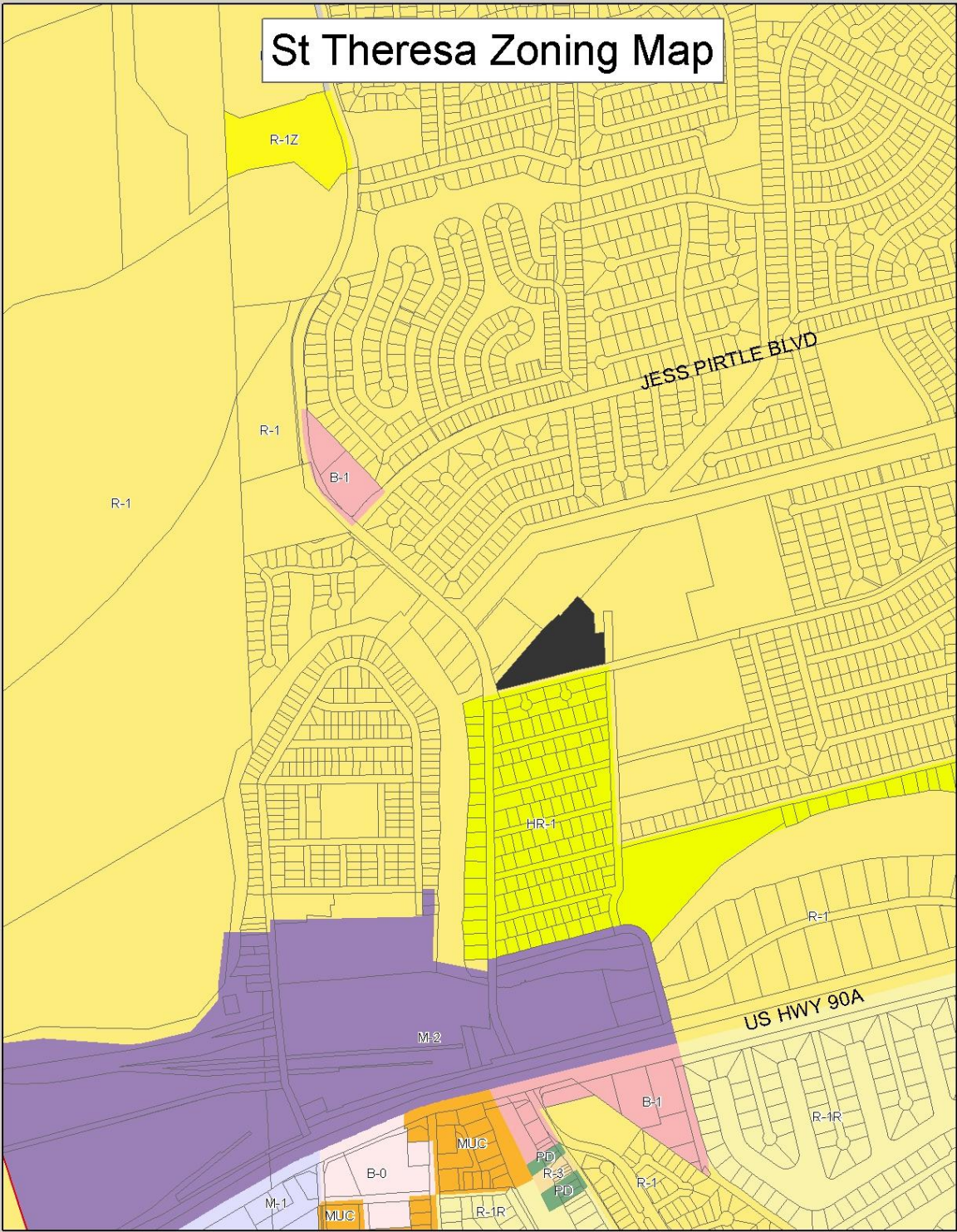
PUBLIC HEARING:

Notice of this public hearing was published in a newspaper of general circulation and on the City of Sugar Land internet home page. All owners of property within 200' of the site were notified of the hearing via mail. In addition, a courtesy notification sign was placed at the site at the time of a field investigation by staff two weeks prior to the hearing date. Since the time the public hearing notice was published, the Planning staff has received only one inquiry from the general public regarding the subject hearing, which was informational in nature.

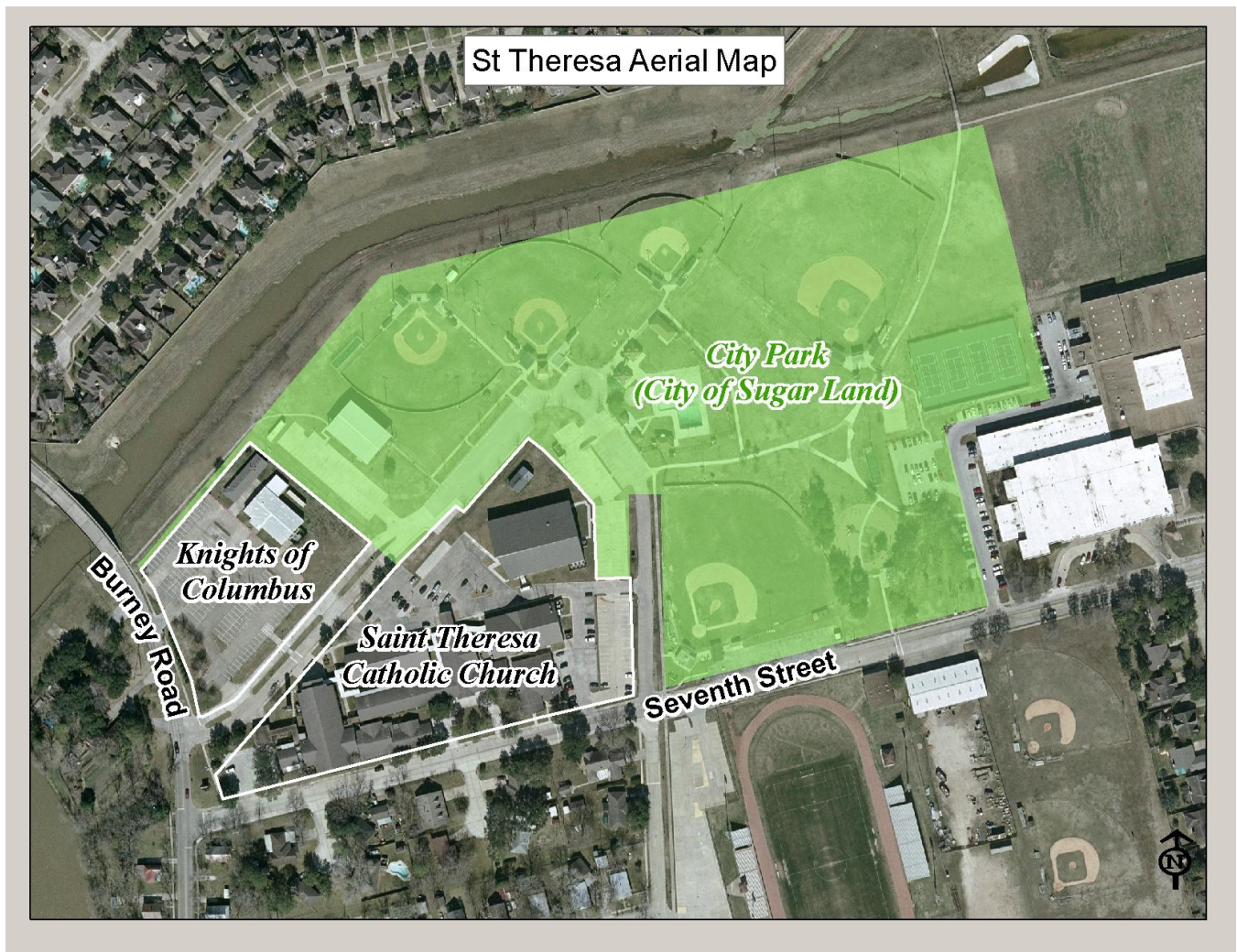
Points for Commission Consideration:

- Is the proposed use (private school) appropriate for the premises?
- Could the proposed school impact surrounding properties and subdivisions?
- If so, are there conditions or restrictions that could mitigate any adverse impacts?
- Maximum square footage and maximum number of students for request (possible cap)

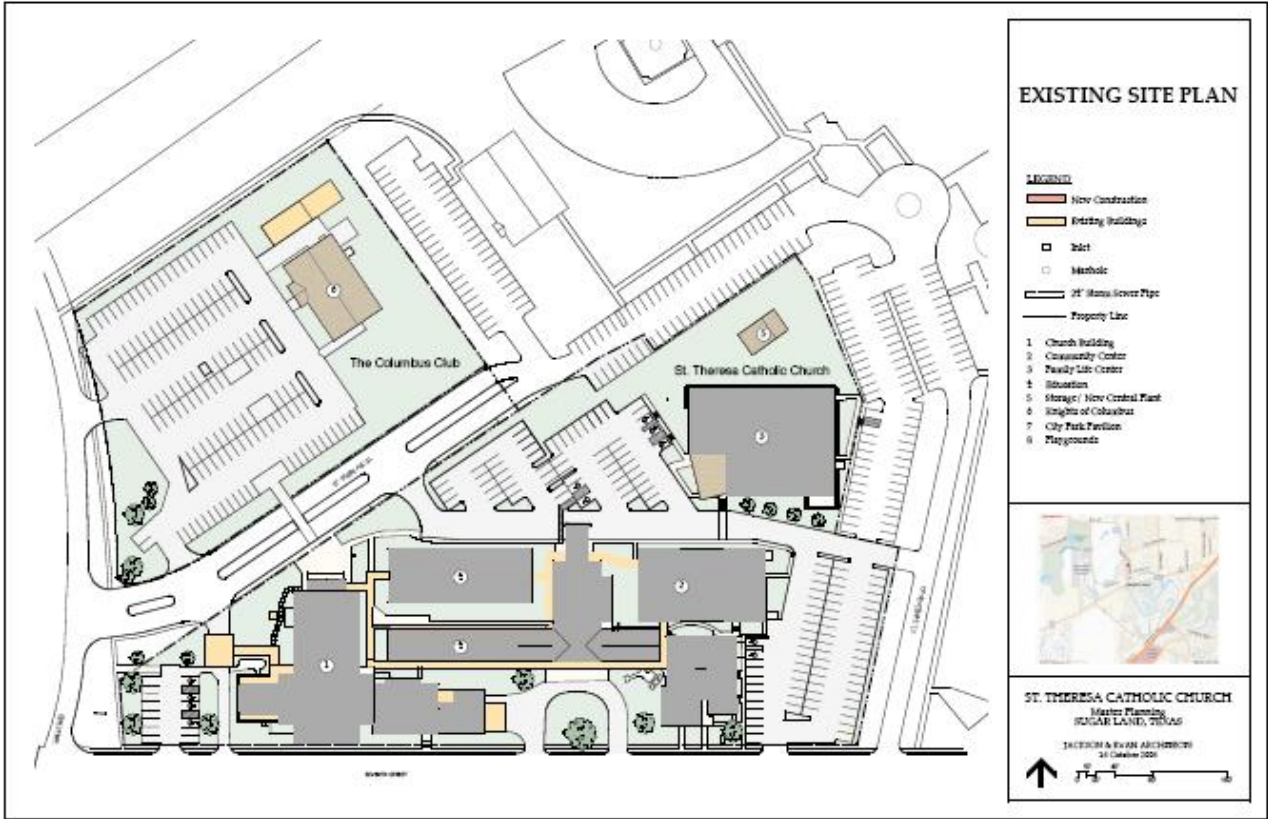
Vicinity Map:



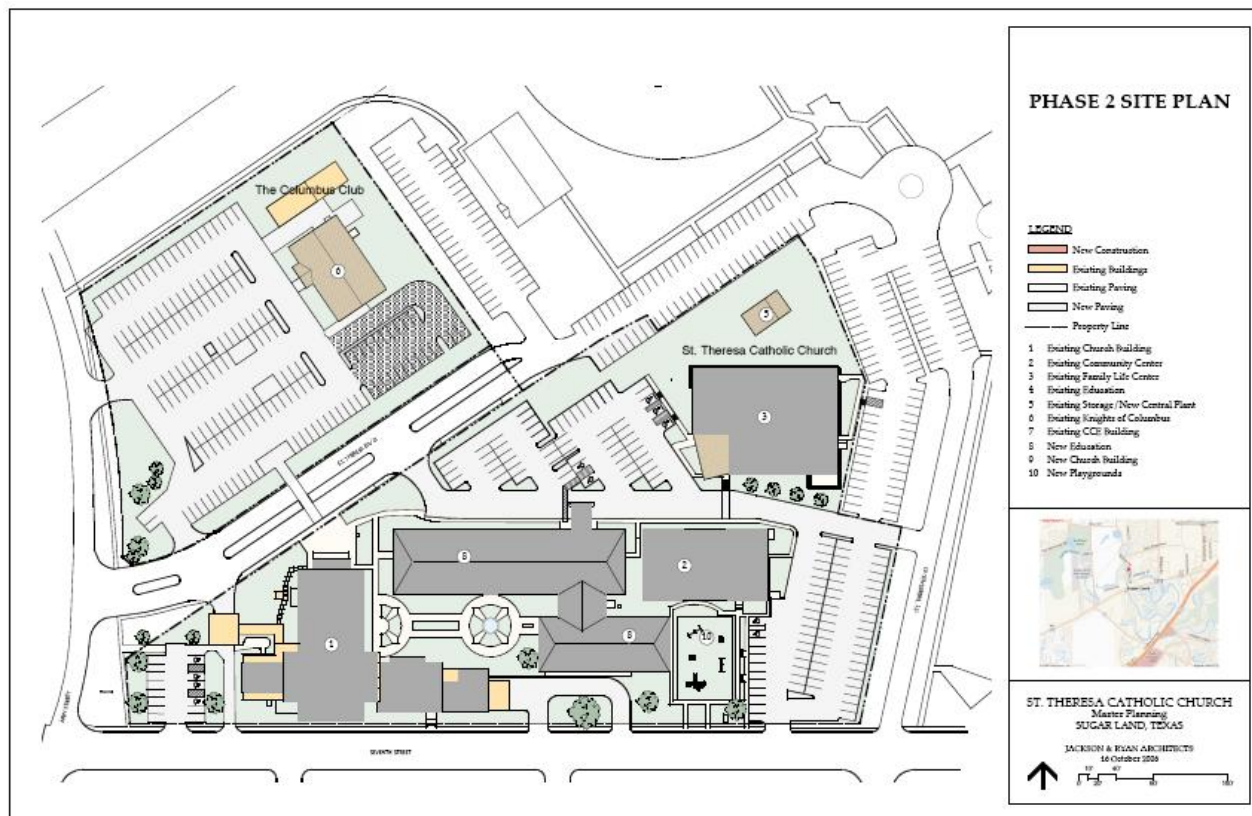
Aerial Graphic:



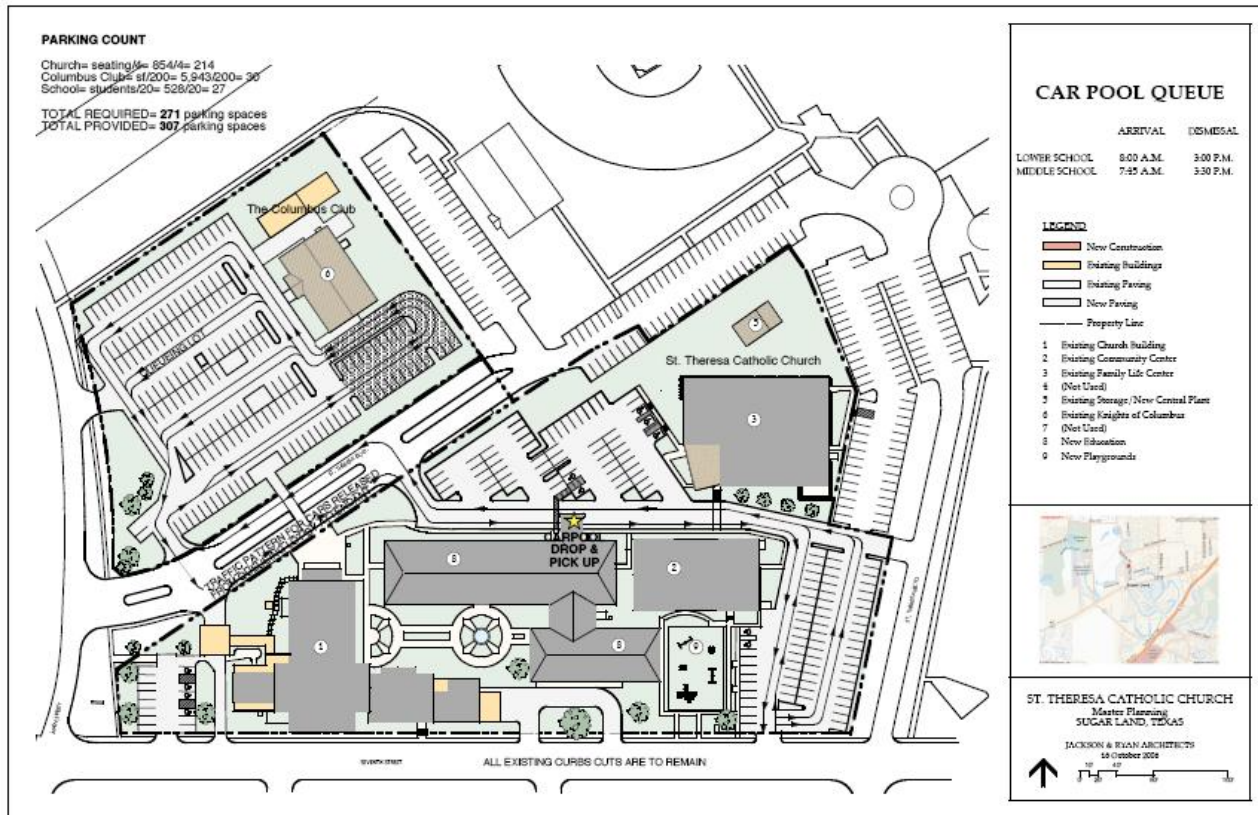
Conceptual Site Plan:



Conceptual Site Plan (cont.):



Traffic Circulation/Car Pool Queue:



Site Photos:

View from Seventh Street (sign)



View from City Park (West)



View from North



View from Knights of Columbus parking lot (North)



Agreement between Knights of Columbus and St. Theresa Catholic Church:

12/05/2006 15:40 281-242-1393

ST. THERESA CHURCH

PAGE 02/05

RATIFICATION AND AMENDMENT

State to Texas)(
 County of Fort Bend)(

This is in reference to that AGREEMENT entered into in 1983 between St. Theresa Catholic Church and the Columbus Club both of Sugar Land, Fort Bend County, Texas, said AGREEMENT is attached hereto and made a part hereof as Exhibit "A".

This is to RATIFY and AMEND said AGREEMENT between St. Theresa Catholic Church and the Columbus Club for the consideration of Ten Dollars (\$10.00) and other valuable considerations, said AGREEMENT being amended by the addition of the following:

1. The Columbus Club agrees that St. Theresa Catholic Church may use the parking lot for parking purposes during church functions as shown on the Exhibit "B" attached hereto and made a part hereof.
2. The Columbus Club property may be used for Car Pool Queue during the AM and PM pick-up/drop-off of children at the educational center.
3. As additional consideration for the purposes outlined herein St. Theresa Catholic Church will pave the parking area shown on the Exhibit "B" located directly southeast of the Knights of Columbus building and consisting of 23 parking spaces. The cost of said paving will be deducted from any purchase price of the property should St. Theresa Catholic Church purchase the property in the future from the Columbus Club.

All other terms in the AGREEMENT shall remain the same as set forth therein.

This RATIFICATION AND AMENDMENT is dated this 4th day of DECEMBER, 2006 and is hereby agreed to and ratified by both St. Theresa Catholic Church, the Columbus Club and the Knights of Columbus by their signatures and acceptance below.

Accepted and Agreed to this 4th day of DECEMBER, 2006.

St. Theresa Catholic Church

Columbus Club

Knights of Columbus

Fr. Stephen B. Reynolds
Pastor

Mike B. Smith
Vice President

Dennis Marek
Grand Knight

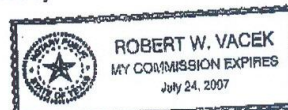
Subscribed to and sworn before me this 4th day of December, 2006 by
Fr. Stephen B. Reynolds, Pastor, St. Theresa Catholic Church.
Notary Public in and for the State of Texas

Betty Jean Rodriguez



Subscribed to and sworn before me this 4th day of December, 2006 by
Vice President, Columbus Club
Notary Public in and for the State of Texas

Robert W. Vacek



Subscribed to and sworn before me this 4th day of December, 2006 by
Dennis Marek, Grand Knight, Knights of Columbus
Notary Public in and for the State of Texas

Robert W. Vacek



Agreement between Knights of Columbus and St. Theresa Catholic Church (cont.):

12/05/2006 15:40

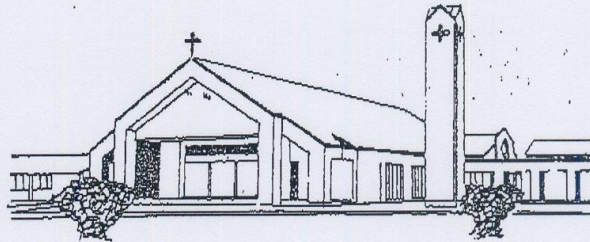
281-242-1393

ST. THERESA CHURCH

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EXHIBIT "A"

St. THERESA CHURCH
P.O. BOX 968
SUGAR LAND, TEXAS
ZIP: 77487-0968
713-494-1156



In the year 1983 the two corporate bodies, St. Theresa's Church and the Columbus Club, both of the City of Sugar Land, Texas entered into the following agreement.

On property, owned by the Columbus Club, St. Theresa Church undertook the expense of paving a parking lot at the cost of \$93,000.00.

This lot is owned by the Columbus Club but it is to be used jointly by the Club and St. Theresa's.

The lot is to be maintained by the Columbus Club.

This agreement is to last for ninety-nine years, ie until the year 2082.

If in this period, The Club were to abandon the property the parking lot would become the property of St. Theresa's Church.

If Columbus Club sells the property - St. Theresa's Church would have the first option to purchase.

Such purchase would be made with the understanding that the improvement of the property, ie the paving, was paid for already by St. Theresa's Parish.

W. A. Coughlin
Pastor, St. Theresa
G/K 1 Knight of Columbus
David Harlan

Application:



PLANNING DEPARTMENT CONDITIONAL USE PERMIT OR REZONING APPLICATION

RECEIVED

OCT 16 2006

PLANNING

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

Applicant

Contact JOHN CLEMENTS

Address 2370 RICE BOULEVARD, SUITE 210 ; HOUSTON, TX 77005

Phone 713.526.5436 Fax 713.526.4241

Email jclements@jacksonryan.com

Owner

Contact DEACON FRANK CROMER

Address 115 7TH STREET ; SUGARLAND, TX 77578

Phone 281.494.1156 EXT. 236 Fax 281.242.1393

Email -

Property Legal Description (1)0097 SM WILLIAMS, ACRES 5.922, CHURCH SITE, EXEMPT
(2)0097 SM WILLIAMS, ACRES 2.000 See Attached

Lot _____ Block _____ Subdivision _____

Current Zoning District R1 Proposed Zoning District, if applicable _____

If this is a CUP application: ☒ new building ☐ existing building

Proposed Use (CUP only) CHURCH AND SCHOOL

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.

X

Signature of Applicant

Date

Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☒ Three (3) copies of the completed application
- ☒ Check for \$1,000.00 (non-refundable) \$400 if CUP is in Mixed Use Conservation (MUC) District
- ☒ Metes and bounds of the site or county slide number of plat, if recorded
- ☒ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☒ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☒ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

NOTICE OF PUBLIC HEARING

PUBLIC HEARING NOTICE REGARDING A PROPOSED CONDITIONAL USE PERMIT (CUP) FOR THE ADDITION OF A PRIVATE SCHOOL AT THE ST. THERESA CATHOLIC CHURCH CAMPUS LOCATED AT 115 SEVENTH ST, IN THE STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT

FURTHER DESCRIBED AS THE 6-ACRE TRACT LOCATED AT THE NORTHEAST CORNER OF BURNEY ROAD AND SEVENTH ST AND, IN THE S.M. WILLIAMS SURVEY, A-97m FORT BEND COUNTY, TEXAS

PURPOSE: One (1) public hearing shall be held at which all persons interested in the proposed conditional use permit (CUP) request shall be given an opportunity to be heard.

**WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
CITY HALL
2700 TOWN CENTER BOULEVARD NORTH
SUGAR LAND, TEXAS**

**WHEN: CITY OF SUGAR LAND
PLANNING AND ZONING COMMISSION MEETING
7:00 P.M., DECEMBER 12, 2006**

DETAILS OF THE PROPOSED CONDITIONAL USE PERMIT MAY BE OBTAINED FROM THE PLANNING OFFICE, CITY OF SUGAR LAND, CITY HALL, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS, MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M. OR YOU MAY CALL (281) 275-2218 FOR ADDITIONAL INFORMATION.